

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSIE BADGER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

7-ELEVEN, INC.,

Defendant.

Case No. 16-cv-01055-RCM

Filed Electronically

STIPULATION OF DISMISSAL WITH PREJUDICE

COME NOW Plaintiff, Josie Badger, and Defendant, 7-Eleven, Inc., by and through undersigned counsel, and hereby stipulate and agree that the Court may dismiss this action *with prejudice*, with each party to bear its own attorneys' fees, costs, expert fees, and expenses, if any, incurred in connection with this action. No motion for class certification has been filed and no class has been certified in this action; therefore, class notice and court approval of this dismissal are not required under the Federal Rules.

Dated: February 28, 2017

Respectfully Submitted,

By: /s/ Benjamin J. Sweet
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Attorneys for Defendant 7-Eleven, Inc.

IT IS SO ORDERED, this 1st day of
March, 2017.

s/ DAVID STEWART CERCONI
United States District Judge